

MEMORANDUM

Agenda Item No. 4(D)

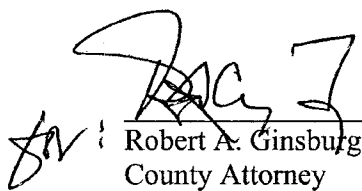
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 17, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Ordinance amending Ord.
No. 93-91, as amended by
Ord. No. 96-101, to rescind
two cents of remaining
three cents of 1993 five
cents capital improvements
local option gas tax

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Natacha Seijas.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 17, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 4 (D)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☒ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required.
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 4(D)
5-17-05

ORDINANCE NO. _____

ORDINANCE AMENDING ORDINANCE NO. 93-91, AS AMENDED BY ORDINANCE NO. 96- 101, TO RESCIND TWO CENTS OF THE REMAINING THREE CENTS OF THE 1993 FIVE CENTS CAPITAL IMPROVEMENTS LOCAL OPTION GAS TAX; PROVIDING WAIVER OF SECTION 2-1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RULE 5.06(F); DIRECTING CLERK OF THE BOARD TO MAIL CERTIFIED COPY HEREOF TO THE FLORIDA DEPARTMENT OF REVENUE IN TALLAHASSEE FLORIDA; AND PROVIDING SEVERABILITY, INCLUSION IN CODE AND EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 8 of Ordinance No. 93-91, as amended by Ordinance No. 96-101, is hereby amended to rescind two cents of the remaining three cents of the 1993 Five Cents Capital Improvements Local Option Gas Tax.

Section 2. Nothing herein shall operate to impair the obligation of any bonds backed by the proceeds of the 1993 Five Cents Capital Improvement Local Option Gas Tax.

Section 3. Section 2-1 of the Code of Miami- Dade County, Florida, Rule 5.06(f), which requires six weeks between first reading and public hearing and four weeks' notice to municipalities prior to public hearing for consideration of an ordinance that may have a direct fiscal impact upon municipal governments in the County, shall be waived for this ordinance.

Section 4. The Clerk of the Board is directed to transmit a certified copy of this ordinance to the Florida Department of Revenue in Tallahassee, Florida.

Section 5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 6. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 7. If not vetoed within ten (10) days after the date of adoption, or if vetoed within such 10 day period and thereafter overridden by this Board, this ordinance shall become effective January 1, 2006 and the rate of 1993 Capital Improvement Local Option Gas Tax levied on every gallon of motor fuel sold from that date on in Miami-Dade County and taxed under the provisions of Part I of Chapter 206 Florida Statutes shall be one cent.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

R.A. Cuevas, Jr.

Sponsored by Commissioner Natacha Seijas

The block contains two handwritten signatures. The top signature is in dark ink and appears to be 'LMC/AS'. The bottom signature is in a lighter ink and appears to be 'RAC'. Both signatures are written over horizontal lines.